Table 45

SENTENCES RELATIVE TO THE GUIDELINE RANGE FOR DRUG OFFENDERS IN EACH DRUG TYPE[1]
Fiscal Year 2012

DRUG TYPE	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURE[2]		UPWARD DEPARTURE W/ *BOOKER* [2]		ABOVE RANGE WITH W/ *BOOKER* [2]		REMAINING ABOVE RANGE	
		N	%	N	%	N	%	N	%	N	%
TOTAL	**25,349**	**11,087**	**43.7**	**79**	**0.3**	**17**	**0.1**	**146**	**0.6**	**13**	**0.1**
Powder Cocaine	**6,128**	2,684	43.8	16	0.3	3	0.0	36	0.6	4	0.1
Crack Cocaine	**3,509**	1,559	44.4	13	0.4	7	0.2	30	0.9	3	0.1
Heroin	**2,192**	915	41.7	12	0.5	0	0.0	14	0.6	1	0.0
Marijuana	**6,984**	3,689	52.8	18	0.3	6	0.1	33	0.5	3	0.0
Methamphetamine	**4,935**	1,691	34.3	14	0.3	1	0.0	20	0.4	1	0.0
Other	**1,601**	549	34.3	6	0.4	0	0.0	13	0.8	1	0.1

Table 45 (cont.)

DRUG TYPE	§5K1.1 SUBSTANTIAL ASSISTANCE		§5K3.1 EARLY DISPOSITION		OTHER GOV'T SPONSORED		DOWNWARD DEPARTURE[3]		DOWNWARD DEPARTURE W/ *BOOKER*[3]		BELOW RANGE W/ *BOOKER*[3]		REMAINING BELOW RANGE	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	**5,823**	**23.0**	**1,921**	**7.6**	**1,386**	**5.5**	**518**	**2.0**	**297**	**1.2**	**3,945**	**15.6**	**117**	**0.5**
Powder Cocaine	1,576	25.7	287	4.7	307	5.0	115	1.9	82	1.3	992	16.2	26	0.4
Crack Cocaine	897	25.6	4	0.1	211	6.0	82	2.3	49	1.4	641	18.3	13	0.4
Heroin	491	22.4	85	3.9	142	6.5	62	2.8	37	1.7	424	19.3	9	0.4
Marijuana	949	13.6	1,211	17.3	265	3.8	108	1.5	52	0.7	611	8.7	39	0.6
Methamphetamine	1,446	29.3	327	6.6	374	7.6	132	2.7	51	1.0	859	17.4	19	0.4
Other	464	29.0	7	0.4	87	5.4	19	1.2	26	1.6	418	26.1	11	0.7

[1] Of the 84,173 cases, 25,712 were sentenced under USSG Chapter Two, Part D (Drugs). Of these, 25,367 cases were sentenced under §§2D1.1 (Drug Trafficking), 2D1.2 (Protected Locations), 2D1.5 (Continuing Criminal Enterprise), 2D1.6 (Use of a Communication Facility), 2D1.8 (Rent/Manage Drug Establishment), or 2D2.1 (Simple Possession). Of these 25,367 cases, 18 were excluded due to missing information from the submitted documents that prevented the comparison of the sentence and the guideline range. Descriptions of variables used in this table are provided in Appendix A.

[2] See Tables 24-24B for a list of departure reasons comprising these categories.

[3] See Tables 25-25B for a list of departure reasons comprising these categories.

SOURCE: U.S. Sentencing Commission, 2012 Datafile, USSCFY12.